

Senate File 403 - Enrolled

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SENATE FILE 403

AN ACT
ADDRESSING FINANCIAL AND REGULATORY MATTERS BY MAKING AND
REVISING APPROPRIATIONS, PROVIDING FOR PROPERLY RELATED
MATTERS, AND PROVIDING EFFECTIVE DATES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I
ADMINISTRATION AND REGULATION
DEPARTMENT OF ADMINISTRATIVE SERVICES
UTILITY COSTS

Section 1. 2006 Iowa Acts, chapter 1177, section 1,
subsection 2, is amended to read as follows:
2. For the payment of utility costs:

.....	\$	3,080,865
		<u>4,080,865</u>

Notwithstanding section 8.33, any excess funds appropriated
for utility costs in this subsection shall not revert to the
general fund of the state at the end of the fiscal year but
shall remain available for expenditure for the purposes of
this subsection during the fiscal year beginning July 1, 2007.
It is the intent of the general assembly that the
department shall reduce utility costs through energy
conservation practices. The goal of the general assembly is
to reduce energy use by ten percent to save money, conserve
energy resources, and reduce pollution.

OFFICE OF GOVERNOR

Sec. 2. 2006 Iowa Acts, chapter 1177, section 10,
subsection 2, is amended to read as follows:
2. TERRACE HILL QUARTERS
For salaries, support, maintenance, and miscellaneous
purposes for the governor's quarters at Terrace Hill, and for
not more than the following full-time equivalent positions:

.....	\$	378,633
		<u>483,633</u>
.....	FTEs	8.00

Sec. 3. 2006 Iowa Acts, chapter 1177, section 10,
subsection 6, paragraph b, is amended to read as follows:
b. For payment to the governor-elect expense fund in lieu
of the appropriation from the general fund of the state under
section 7.13 to the governor-elect expense fund:

.....	\$	100,000
		<u>170,000</u>

DEPARTMENT OF REVENUE
OPERATIONS

Sec. 4. 2006 Iowa Acts, chapter 1177, section 18,
unnumbered paragraph 2, is amended to read as follows:
For salaries, support, maintenance, and miscellaneous
purposes, and for not more than the following full-time
equivalent positions:

.....	\$	23,138,575
		<u>23,238,575</u>
.....	FTEs	392.64

GOVERNOR

Sec. 5. IOWA ENERGY INDEPENDENCE OFFICE. There is
appropriated from the general fund of the state to the office
of the governor and lieutenant governor for the fiscal year
beginning July 1, 2006, and ending June 30, 2007, the
following amount, or so much thereof as is necessary, to be
used for the purposes designated:
For initial implementation of an Iowa energy independence
office, in lieu of any other appropriation or allocation made
for this purpose for the fiscal year of the appropriation and
for the succeeding fiscal year, including salaries, support,
maintenance, miscellaneous purposes and for not more than the
following full-time equivalent positions:

.....	\$	250,000
.....	FTEs	3.00

Notwithstanding section 8.33, moneys appropriated in this
section that remain unencumbered or unobligated at the close
of the fiscal year shall not revert but shall remain available

3 4 for expenditure for the purposes designated until the close of
3 5 the succeeding fiscal year.

3 6 DIVISION II

3 7 EDUCATION

3 8 STATE BOARD OF REGENTS

3 9 Sec. 6. BIOMASS PRODUCTION PROJECT. There is appropriated
3 10 from the general fund of the state to the state board of
3 11 regents for the fiscal year beginning July 1, 2006, and ending
3 12 June 30, 2007, the following amount, or so much thereof as may
3 13 be necessary, to be used for the purpose designated:

3 14 For a biomass production project at the university of
3 15 northern Iowa to determine the feasibility of burning prairie
3 16 vegetation for electrical generation:

3 17 \$ 330,000

3 18 Notwithstanding section 8.33, moneys appropriated in this
3 19 section that remain unencumbered or unobligated at the close
3 20 of the fiscal year shall not revert but shall remain available
3 21 for expenditure for the purposes designated until the close of
3 22 the succeeding fiscal year.

3 23 DEPARTMENT OF CULTURAL AFFAIRS

3 24 Sec. 7. 2006 Iowa Acts, chapter 1185, section 41,
3 25 subsection 1, is amended to read as follows:

3 26 1. For the African-American historical museum and cultural
3 27 center of Iowa in Cedar Rapids:

3 28 \$ 85,000

3 29 160,000

3 30 Notwithstanding section 8.33, moneys appropriated in this

3 31 subsection that remain unencumbered or unobligated at the

3 32 close of the fiscal year shall not revert but shall remain

3 33 available for expenditure for the purposes designated until

3 34 expended. The historical museum and cultural center shall

3 35 report to the department and the members and staff of the

4 1 joint appropriations subcommittee on economic development on

4 2 or before December 15, 2007, detailing the planned and actual

4 3 uses for the moneys appropriated in this subsection.

4 4 Sec. 8. IOWA CAUCUS PROJECT. There is appropriated from
4 5 the general fund of the state to the department of cultural
4 6 affairs for the fiscal year beginning July 1, 2006, and ending
4 7 June 30, 2007, the following amount, or so much thereof as is
4 8 necessary, to be used for the purposes designated:

4 9 For funding of the Iowa caucus project:

4 10 \$ 500,000

4 11 Notwithstanding section 8.33, moneys appropriated in this
4 12 section that remain unencumbered or unobligated at the close
4 13 of the fiscal year shall not revert but shall remain available
4 14 for expenditure for the purposes designated until the close of
4 15 the succeeding fiscal year.

4 16 DEPARTMENT OF EDUCATION

4 17 Sec. 9. SKILLS IOWA TECHNOLOGY GRANT PROGRAM.

4 18 1. There is appropriated from the general fund of the
4 19 state to the department of education for the fiscal year
4 20 beginning July 1, 2006, and ending June 30, 2007, the
4 21 following amount, or so much thereof as is necessary, to be
4 22 used for the purposes designated:

4 23 For continuation of the skills Iowa technology grant
4 24 program in accordance with this section:

4 25 \$ 3,000,000

4 26 2. The amount appropriated in this section shall be used
4 27 to continue the skills Iowa technology grant program,
4 28 previously known as the follow-the-leader technology grant
4 29 program. The purpose of the program is to provide assessment
4 30 and remediation tools to classrooms, to enhance teachers'
4 31 ability to easily assess the skill levels of individual
4 32 students and prescribe individualized instruction plans based
4 33 on those assessments, and provide for professional development
4 34 of teachers. The department shall contract with a

4 35 not-for-profit entity with at least two years experience with
5 1 the skills Iowa technology program and in providing technical
5 2 assistance to schools in Iowa. The goals for the contractor
5 3 shall include minimizing disruption in the use of skills Iowa
5 4 in schools. Any departmental administrative expenses
5 5 associated with this appropriation shall not exceed \$50,000.

5 6 3. Notwithstanding section 8.33, moneys appropriated in
5 7 this section that remain unencumbered or unobligated at the
5 8 close of the fiscal year shall not revert but shall remain
5 9 available for expenditure for the purposes designated until
5 10 the close of the succeeding fiscal year.

5 11 Sec. 10. ASSISTIVE TECHNOLOGY LOANS.

5 12 1. There is appropriated from the general fund of the
5 13 state to the department of education for the fiscal year
5 14 beginning July 1, 2006, and ending June 30, 2007, the

5 15 following amount, or so much thereof as is necessary, to be
5 16 used for the purposes designated:

5 17 For the division of vocational rehabilitation services to
5 18 issue a grant to a foundation to provide assistive technology
5 19 loans and loan guarantees in accordance with this section:
5 20 \$ 500,000

5 21 2. The foundation must be headquartered in Iowa and be
5 22 qualified as tax exempt under section 501(c)(3) of the
5 23 Internal Revenue Code; operate for the purpose of offering
5 24 loans to Iowans who need to purchase assistive technology such
5 25 as specialized computers or software, wheelchairs,
5 26 communication devices, home modifications, vehicle
5 27 modifications, and other devices; have been in existence since
5 28 1998; have offices in Des Moines; and have experience in
5 29 partnering with banks and the Iowa finance authority in
5 30 providing loans.

5 31 3. The grant shall require the grantee to provide a
5 32 dollar-for-dollar match.

5 33 4. The grant shall be used to provide loans and loan
5 34 guarantees to or on behalf of Iowa residents who have a
5 35 disability or disabling condition, are in need of assistive
6 1 technology, are able to meet lending and purpose requirements,
6 2 and are able to repay the loan. Not more than 5 percent of
6 3 the amount appropriated shall be used for the administrative
6 4 costs of the grantee so that 95 percent of the appropriation
6 5 amount is used for providing loans and loan guarantees.

6 6 5. Notwithstanding section 8.33, moneys appropriated in
6 7 this section that remain unencumbered or unobligated at the
6 8 close of the fiscal year shall not revert but shall remain
6 9 available for expenditure for the purposes designated until
6 10 the close of the succeeding fiscal year.

6 11 Sec. 11. MOBILE PRODUCTION UNIT. There is appropriated
6 12 from the general fund of the state to the department of
6 13 education for the fiscal year beginning July 1, 2006, and
6 14 ending June 30, 2007, the following amount, or so much thereof
6 15 as is necessary, to be used for the purposes designated:

6 16 For the public broadcasting division to purchase a mobile
6 17 television production unit and digital equipment:
6 18 \$ 1,000,000

6 19 Notwithstanding section 8.33, moneys appropriated in this
6 20 section that remain unencumbered or unobligated at the close
6 21 of the fiscal year shall not revert but shall remain available
6 22 for expenditure for the purposes designated until the close of
6 23 the fiscal year beginning July 1, 2008.

6 24 DIVISION III

6 25 HEALTH AND HUMAN SERVICES

6 26 IOWACARE PROGRAM

6 27 Sec. 12. 2006 Iowa Acts, chapter 1184, section 60, is
6 28 amended by adding the following new subsection:

6 29 NEW SUBSECTION. 4. There is appropriated from the
6 30 IowaCare account created in section 249J.24 to the state board
6 31 of regents for distribution to the university of Iowa
6 32 hospitals and clinics for the fiscal year beginning July 1,
6 33 2006, and ending June 30, 2007, the following amount, or so
6 34 much thereof as is necessary, to be used for the purposes
6 35 designated:

7 1 For salaries, support, maintenance, equipment, and
7 2 miscellaneous purposes, for the provision of medical and
7 3 surgical treatment of indigent patients, for provision of
7 4 services to members of the expansion population pursuant to
7 5 chapter 249J, and for medical education:
7 6 \$ 10,000,000

7 7 The amount appropriated in this subsection shall be
7 8 distributed only if federal funds are available to match the
7 9 amount appropriated and expenses are incurred to serve the
7 10 IowaCare expansion population.

7 11 Notwithstanding section 8.33, moneys appropriated in this
7 12 subsection that remain unencumbered or unobligated at the
7 13 close of the fiscal year shall not revert but shall remain
7 14 available for expenditure for the purposes designated until
7 15 the close of the succeeding fiscal year.

7 16 DIVISION IV

7 17 JUSTICE SYSTEM

7 18 DEPARTMENT OF CORRECTIONS

7 19 FACILITIES

7 20 Sec. 13. 2006 Iowa Acts, chapter 1183, section 4,
7 21 subsection 1, paragraphs b, c, e, g, and j, are amended to
7 22 read as follows:

7 23 b. For the operation of the Anamosa correctional facility,
7 24 including salaries, support, maintenance, and miscellaneous
7 25 purposes:

7 26 \$ ~~28,903,747~~
 7 27 29,253,747
 7 28 Moneys are provided within this appropriation for one
 7 29 full-time substance abuse counselor for the Luster Heights
 7 30 facility, for the purpose of certification of a substance
 7 31 abuse program at that facility.
 7 32 c. For the operation of the Oakdale correctional facility,
 7 33 including salaries, support, maintenance, and miscellaneous
 7 34 purposes:
 7 35 \$ ~~28,972,190~~
 8 1 32,392,728
 8 2 e. For the operation of the Mt. Pleasant correctional
 8 3 facility, including salaries, support, maintenance, and
 8 4 miscellaneous purposes:
 8 5 \$ ~~24,929,418~~
 8 6 25,479,418
 8 7 g. For the operation of the Clarinda correctional
 8 8 facility, including salaries, support, maintenance, and
 8 9 miscellaneous purposes:
 8 10 \$ ~~24,251,587~~
 8 11 24,651,587
 8 12 Moneys received by the department of corrections as
 8 13 reimbursement for services provided to the Clarinda youth
 8 14 corporation are appropriated to the department and shall be
 8 15 used for the purpose of operating the Clarinda correctional
 8 16 facility.
 8 17 j. For reimbursement of counties for temporary confinement
 8 18 of work release and parole violators, as provided in sections
 8 19 901.7, 904.908, and 906.17 and for offenders confined pursuant
 8 20 to section 904.513:
 8 21 \$ ~~799,954~~
 8 22 1,199,954
 8 23 DEPARTMENT OF CORRECTIONS
 8 24 ADMINISTRATION
 8 25 Sec. 14. 2006 Iowa Acts, chapter 1183, section 5,
 8 26 subsection 1, paragraph a, unnumbered paragraph 1, is amended
 8 27 to read as follows:
 8 28 For general administration, including salaries, support,
 8 29 maintenance, employment of an education director to administer
 8 30 a centralized education program for the correctional system,
 8 31 and miscellaneous purposes:
 8 32 \$ ~~3,928,438~~
 8 33 4,128,438
 8 34 DEPARTMENT OF PUBLIC SAFETY
 8 35 DIVISION OF CRIMINAL INVESTIGATION
 9 1 Sec. 15. 2006 Iowa Acts, chapter 1183, section 16,
 9 2 subsection 2, unnumbered paragraph 1, is amended to read as
 9 3 follows:
 9 4 For the division of criminal investigation, including the
 9 5 state's contribution to the peace officers' retirement,
 9 6 accident, and disability system provided in chapter 97A in the
 9 7 amount of 17 percent of the salaries for which the funds are
 9 8 appropriated, to meet federal fund matching requirements, and
 9 9 for not more than the following full-time equivalent
 9 10 positions:
 9 11 \$ ~~18,673,875~~
 9 12 19,140,375
 9 13 FTEs 270.50
 9 14 DEPARTMENT OF PUBLIC SAFETY
 9 15 STATE FIRE MARSHAL
 9 16 Sec. 16. 2006 Iowa Acts, chapter 1183, section 16,
 9 17 subsection 5, paragraph a, is amended to read as follows:
 9 18 a. For the division of state fire marshal, including the
 9 19 state's contribution to the peace officers' retirement,
 9 20 accident, and disability system provided in chapter 97A in the
 9 21 amount of 17 percent of the salaries for which the funds are
 9 22 appropriated, and for not more than the following full-time
 9 23 equivalent positions:
 9 24 \$ ~~2,513,247~~
 9 25 2,613,247
 9 26 FTEs 41.00
 9 27 DEPARTMENT OF PUBLIC SAFETY
 9 28 STATE PATROL
 9 29 Sec. 17. 2006 Iowa Acts, chapter 1183, section 16,
 9 30 subsection 6, unnumbered paragraph 1, is amended to read as
 9 31 follows:
 9 32 For the division of state patrol, for salaries, support,
 9 33 maintenance, workers' compensation costs, and miscellaneous
 9 34 purposes, including the state's contribution to the peace
 9 35 officers' retirement, accident, and disability system provided
 10 1 in chapter 97A in the amount of 17 percent of the salaries for

2 which the funds are appropriated, and for not more than the
 3 following full-time equivalent positions:
 4 \$ ~~45,185,618~~
 5 45,335,618
 6 FTEs 531.00
 7 Sec. 18. EQUIPMENT. There is appropriated from the
 8 general fund of the state to the department of public safety
 9 for the fiscal year beginning July 1, 2006, and ending June
 10 30, 2007, the following amount, or so much thereof as is
 11 necessary, to be used for the purposes designated:
 12 For equipment costs:
 13 \$ 300,000
 14 Notwithstanding section 8.33, moneys appropriated in this
 15 section that remain unencumbered or unobligated at the close
 16 of the fiscal year shall not revert but shall remain available
 17 for expenditure for the purposes designated until the close of
 18 the succeeding fiscal year.
 19 DIVISION V
 20 INFRASTRUCTURE, TECHNOLOGY, AND EQUIPMENT
 21 REBUILD IOWA INFRASTRUCTURE FUND
 22 Sec. 19. IOWA JUVENILE HOME. There is appropriated from
 23 the rebuild Iowa infrastructure fund to the department of
 24 administrative services for the fiscal year beginning July 1,
 25 2006, and ending June 30, 2007, the following amount, or so
 26 much thereof as is necessary, to be used for the purpose
 27 designated:
 28 For the Iowa juvenile home powerhouse:
 29 \$ 7,035,000
 30 Notwithstanding section 8.33, moneys appropriated in this
 31 section that remain unencumbered or unobligated at the close
 32 of the fiscal year shall not revert but shall remain available
 33 for expenditure for the purposes designated until the close of
 34 the fiscal year that begins July 1, 2010, or until the project
 35 for which the appropriation was made is completed, whichever
 11 is earlier.
 12 TOBACCO SETTLEMENT TRUST FUND AND ROAD USE TAX FUND
 13 Sec. 20. FY 2006=2007. There is appropriated from the
 14 tax-exempt bond proceeds restricted capital funds account of
 15 the tobacco settlement trust fund to the following departments
 16 and agencies for the fiscal year beginning July 1, 2006, and
 17 ending June 30, 2007, the following amounts, or so much
 18 thereof as is necessary, to be used for the purposes
 19 designated:
 20 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 21 a. For costs associated with the replacement of the roof
 22 at the governor's mansion at Terrace Hill:
 23 \$ 700,000
 24 b. For upgrades to the electrical distribution system
 25 serving the capitol complex:
 26 \$ 800,000
 27 2. DEPARTMENT OF PUBLIC SAFETY
 28 For costs associated with the acquisition and maintenance
 29 of property, the purchase and installation of radio consoles
 30 at public safety facilities, and the purchase of equipment:
 31 \$ 2,400,000
 32 CHANGES TO PRIOR APPROPRIATIONS
 33 DEPARTMENT OF ADMINISTRATIVE SERVICES
 34 FY 2004=2005
 35 Sec. 21. 2004 Iowa Acts, chapter 1175, section 304,
 1 subsection 1, paragraph a, is amended to read as follows:
 2 a. For the payment of claims relating to the purchase and
 3 implementation of an integrated information for Iowa system,
 4 notwithstanding section 12E.12, subsection 1, paragraph "b",
 5 subparagraph (1):
 6 \$ ~~6,049,284~~
 7 4,549,284
 8 DEPARTMENT OF PUBLIC SAFETY
 9 FY 2005=2006
 10 Sec. 22. 2006 Iowa Acts, chapter 1179, section 12,
 1 subsection 1, paragraph e, is amended to read as follows:
 2 e. DEPARTMENT OF PUBLIC SAFETY
 3 For construction of an Iowa state patrol post in district
 4 8:
 5 \$ ~~2,400,000~~
 6 0
 7 OFFICE OF TREASURER OF STATE
 8 Sec. 23. There is appropriated from the road use tax fund
 9 to the office of the treasurer of state for the fiscal year
 10 beginning July 1, 2006, and ending June 30, 2007, the
 11 following amount, or so much thereof as is necessary, to be
 12 used for the purposes designated:

12 13 For information technology=related expenses:
12 14 \$ 93,148

12 15 DIVISION VI

12 16 OTHER APPROPRIATIONS

12 17 Sec. 24. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
12 18 DEVELOPMENTAL DISABILITIES FUNDING. There is appropriated
12 19 from the property tax relief fund created in section 426B.1 to
12 20 the department of human services for the fiscal year beginning
12 21 July 1, 2006, and ending June 30, 2007, the following amount,
12 22 or so much thereof as is necessary, to be used for the
12 23 purposes designated:

12 24 For payment to a county with a population of more than
12 25 8,650 but less than 9,000, according to the 2005 population
12 26 estimate issued by the federal government, of an amount equal
12 27 to the second property tax relief fund distribution that was
12 28 payable to the county in January 2006, not to exceed the
12 29 amount appropriated in this section, had the county met the
12 30 requirement under section 331.439, subsection 1, paragraph
12 31 "a", to report by December 1, 2005, expenditures for mental
12 32 health, mental retardation, and developmental disabilities for
12 33 the previous fiscal year:

12 34 \$ 121,124

12 35 The county shall credit the amount received by the county
13 1 pursuant to the appropriation made in this section to the
13 2 county's mental health, mental retardation, and developmental
13 3 disabilities services fund created under section 331.424A, for
13 4 expenditure from the services fund as provided by law.

13 5 Sec. 25. ALLOWED GROWTH FUNDING.

13 6 1. There is appropriated from the property tax relief fund
13 7 created in section 426B.1 to the department of human services
13 8 for the fiscal year beginning July 1, 2006, and ending June
13 9 30, 2007, the following amount, or so much thereof as is
13 10 necessary, to be used for the purposes designated:

13 11 For allocation to a county as provided in this section:

13 12 \$ 121,960

13 13 2. There is appropriated from the general fund of the
13 14 state to the department of human services for the fiscal year
13 15 beginning July 1, 2006, and ending June 30, 2007, the
13 16 following amount, or so much thereof as is necessary, to be
13 17 used for the purposes designated:

13 18 For allocation to a county as provided in this section:

13 19 \$ 52,265

13 20 3. The appropriations made in this section shall be
13 21 allocated to a county with a general population of more than
13 22 10,500 but less than 10,600, according to the most recent
13 23 population estimate issued by the federal government, and that
13 24 met the requirements for distribution in January 2007 of
13 25 allowed growth factor adjustment funding under the per capita
13 26 expenditure target pool provisions in accordance with sections
13 27 331.438 and 426B.5 and 2005 Iowa Acts, chapter 179, section 1,
13 28 as amended by 2006 Iowa Acts, chapter 1184, section 73, except
13 29 that the county's per capita expenditure amount was in excess
13 30 of the statewide per capita expenditure target amount.

13 31 The county receiving the allocation made in this section
13 32 shall credit the allocation to the county's mental health,
13 33 mental retardation, and developmental disabilities services
13 34 fund under section 331.424A.

13 35 DIVISION VII

14 1 REAL ESTATE EDUCATION

14 2 Sec. 26. NEW SECTION. 268.6 REAL ESTATE EDUCATION
14 3 PROGRAM.

14 4 There is appropriated from the general fund of the state to
14 5 the state board of regents for the fiscal year beginning July
14 6 1, 2008, and for each succeeding fiscal year, one hundred
14 7 sixty thousand dollars for allocation to the university of
14 8 northern Iowa to be used for continuation of the real estate
14 9 education program.

14 10 Sec. 27. Section 543B.54, Code 2007, is amended to read as
14 11 follows:

14 12 543B.54 REAL ESTATE EDUCATION FUND.

14 13 1. The Iowa real estate education fund is created as a
14 14 financial assurance mechanism to assist in the establishment
14 15 and maintenance of ~~a college credit~~ real estate education
14 16 ~~program at the university of northern Iowa programs at Iowa~~
14 17 ~~community colleges and other Iowa colleges and universities.~~

14 18 and to assist the real estate commission in providing an
14 19 education director. The fund is created as a separate fund in
14 20 the state treasury, and any funds remaining in the fund at the
14 21 end of each fiscal year shall not revert to the general fund,
14 22 but shall remain in the Iowa real estate education fund.

14 23 2. Twenty-five dollars per license from fees deposited for

14 24 each real estate salesperson's license and each broker's
14 25 license shall be distributed and are appropriated to the ~~board~~
~~14 26 of regents real estate commission~~ for the purpose of
14 27 establishing and maintaining ~~a real estate education program~~
~~14 28 at the university of northern Iowa a program to provide grants~~
~~14 29 to community colleges and other colleges and universities in~~
~~14 30 the state providing programs under this section and using the~~
~~14 31 curriculum maintained by the commission. Grants shall be~~
~~14 32 awarded by a grant committee established by the real estate~~
~~14 33 commission. The committee shall consist of seven members:~~
~~14 34 two members of the commission, four members of the Iowa~~
~~14 35 association of realtors, and one member of the general public.~~
15 1 The commission shall promulgate rules relating to the
15 2 organization and operation of the committee, which shall
15 3 include the term of membership, and establishing standards for
15 4 awarding grants. The members of the committee may be
15 5 reimbursed for actual and necessary expenses incurred in the
15 6 performance of their duties but shall not receive a per diem
15 7 payment.

15 8 3. The remaining moneys in the fund shall be distributed
15 9 and are appropriated to the professional licensing and
15 10 regulation bureau of the banking division of the department of
15 11 commerce for the purpose of hiring and compensating a real
15 12 estate education director and regulatory compliance personnel.
15 13 Sec. 28. REAL ESTATE EDUCATION PROGRAM. There is
15 14 appropriated from the general fund of the state to the state
15 15 board of regents for the fiscal year beginning July 1, 2006,
15 16 and ending June 30, 2007, the following amount, or so much
15 17 thereof as is necessary, to be used for the purposes
15 18 designated:

15 19 For allocation to the university of northern Iowa for the
15 20 real estate education program for expenditure after June 30,
15 21 2007:
15 22 \$ 160,000

15 23 Notwithstanding section 8.33, moneys appropriated in this
15 24 section that remain unencumbered or unobligated at the close
15 25 of the fiscal year shall not revert but shall remain available
15 26 for expenditure for the purposes designated until the close of
15 27 the succeeding fiscal year.

15 28 Sec. 29. EFFECTIVE DATE. The sections of this division of
15 29 this Act enacting section 268.6 and amending section 534B.54
15 30 take effect July 1, 2007.

15 31 DIVISION VIII

15 32 DISPOSAL OF STATE REAL PROPERTY

15 33 Sec. 30. Section 8D.11, subsection 1, Code 2007, is
15 34 amended to read as follows:

15 35 1. The commission may purchase, lease, and improve
16 1 property, equipment, and services for telecommunications for
16 2 public and private agencies and may dispose of property and
16 3 equipment when not necessary for its purposes. However, the
16 4 commission shall not enter into a contract for the purchase,
16 5 lease, or improvement of property, equipment, or services for
16 6 telecommunications pursuant to this subsection in an amount
16 7 greater than one million dollars without prior authorization
16 8 by a constitutional majority of each house of the general
16 9 assembly, or approval by the legislative council if the
16 10 general assembly is not in session. The sale, exchange, or
16 11 other means of disposal of property with a fair market value
16 12 of five million dollars or more requires the prior
16 13 authorization of a constitutional majority of each house of
16 14 the general assembly and approval by the governor. The

16 15 commission shall not issue any bonding or other long-term
16 16 financing arrangements as defined in section 12.30, subsection
16 17 1, paragraph "b". Real or personal property to be purchased
16 18 by the commission through the use of a financing agreement
16 19 shall be done in accordance with the provisions of section
16 20 12.28, provided, however, that the commission shall not
16 21 purchase property, equipment, or services for
16 22 telecommunications pursuant to this subsection in an amount
16 23 greater than one million dollars without prior authorization
16 24 by a constitutional majority of each house of the general
16 25 assembly, or approval by the legislative council if the
16 26 general assembly is not in session.

16 27 Sec. 31. Section 29A.57, subsection 2, Code 2007, is
16 28 amended to read as follows:

16 29 2. The board may acquire land or real estate by purchase,
16 30 contract for purchase, gift, or bequest and acquire, own,
16 31 contract for the construction of, erect, purchase, maintain,
16 32 alter, operate, and repair installations and facilities of the
16 33 Iowa national guard and the Iowa air national guard when funds
16 34 for the installations and facilities are made available by the

16 35 federal government, the state of Iowa, municipalities,
17 1 corporations or individuals. The title to the property so
17 2 acquired shall be taken in the name of the state of Iowa ~~and~~
~~17 3 the real estate. If recommended by the board and authorized~~
~~17 4 by a constitutional majority of each house of the general~~
~~17 5 assembly and approved by the governor, real property with a~~
~~17 6 fair market value of five million dollars or more may be sold~~
~~17 7 or exchanged by the executive council, upon recommendation of~~
~~17 8 the board,~~ when it is no longer needed for the purpose for
17 9 which it was acquired. Income or revenue derived from the
17 10 sale of the real estate shall be credited to the national
17 11 guard facilities improvement fund and used for the purposes
17 12 specified in section 29A.14, subsection 2.

17 13 Sec. 32. Section 99G.21, subsection 3, Code 2007, is
17 14 amended to read as follows:

17 15 3. Notwithstanding any other provision of law, any
17 16 purchase of real property and any borrowing of more than one
17 17 million dollars by the authority shall require written notice
17 18 from the authority to the legislative government oversight
17 19 committees and the prior approval of the executive council.
~~17 20 The sale, exchange, or other means of disposal of real~~
~~17 21 property with a fair market value of five million dollars or~~
~~17 22 more requires the authorization of a constitutional majority~~
~~17 23 of each house of the general assembly and approval by the~~
~~17 24 governor.~~

17 25 Sec. 33. Section 173.14, subsection 8, Code 2007, is
17 26 amended to read as follows:

17 27 8. Take, acquire, hold, and dispose of property by deed,
17 28 gift, devise, bequest, lease, or eminent domain. The title to
17 29 real estate acquired under this subsection and improvements
17 30 erected on the real estate shall be taken and held in the name
17 31 of the state of Iowa and shall be under the custody and
17 32 control of the board. ~~The sale, exchange, or other means of~~
~~17 33 disposal of real property with a fair market value of five~~
~~17 34 million dollars or more requires the prior authorization of a~~
~~17 35 constitutional majority of each house of the general assembly~~
~~18 1 and approval by the governor.~~ In the exercise of the power of
18 2 eminent domain the board shall proceed in the manner provided
18 3 in chapters 6A and 6B.

18 4 Sec. 34. Section 260C.14, subsection 6, Code 2007, is
18 5 amended to read as follows:

18 6 6. Have authority to sell a student=constructed building
18 7 and the property on which the student=constructed building is
18 8 located or any article resulting from any vocational program
18 9 or course offered at a community college by any procedure
18 10 which may be adopted by the board. ~~However, the sale,~~
~~18 11 exchange, or other means of disposal of real property with a~~
~~18 12 fair market value of five million dollars or more requires the~~
~~18 13 prior authorization of a constitutional majority of each house~~
~~18 14 of the general assembly and approval by the governor.~~

18 15 Governmental agencies and governmental subdivisions of the
18 16 state within the merged areas shall be given preference in the
18 17 purchase of such articles. All revenue received from the sale
18 18 of any article shall be credited to the funds of the board of
18 19 the merged area.

18 20 Sec. 35. Section 262.9, subsection 7, Code 2007, is
18 21 amended to read as follows:

18 22 7. Acquire real estate for the proper uses of institutions
18 23 under its control, and dispose of real estate belonging to the
18 24 institutions when not necessary for their purposes. ~~The sale,~~
~~18 25 exchange, or other means of disposal of real property with a~~
~~18 26 fair market value of five million dollars or more requires the~~
~~18 27 prior authorization of a constitutional majority of each house~~
~~18 28 of the general assembly and approval by the governor.~~ The

18 29 disposal of real estate shall be made upon such terms,
18 30 conditions, and consideration as the board may recommend. If
18 31 real estate subject to sale has been purchased or acquired
18 32 from appropriated funds, the proceeds of such sale shall be
18 33 deposited with the treasurer of state and credited to the
18 34 general fund of the state. There is ~~hereby~~ appropriated from
18 35 the general fund of the state a sum equal to the proceeds so
19 1 deposited and credited to the general fund of the state to the
19 2 state board of regents, which may be used to purchase other
19 3 real estate and buildings and for the construction and
19 4 alteration of buildings and other capital improvements. All
19 5 transfers shall be by state patent in the manner provided by
19 6 law. The board is also authorized to grant easements for
19 7 rights-of-way over, across, and under the surface of public
19 8 lands under its jurisdiction when in the board's judgment such
19 9 easements are desirable and will benefit the state of Iowa.

19 10 Sec. 36. Section 313.2, unnumbered paragraph 5, Code 2007,

19 11 is amended to read as follows:

19 12 The department, either alone or in ~~co-operation~~ cooperation
19 13 with any county, ~~shall have the authority to may~~ utilize any
19 14 land acquired incidental to the acquisition of land for
19 15 highway right of way and to also accept by gift, lands not
19 16 exceeding two acres in area for roadside parks and parking
19 17 areas. The department may furnish necessary maintenance. The
19 18 department ~~shall also have authority to may~~ accept by gift,
19 19 equipment or other installations incidental to the use of ~~said~~
19 20 ~~such~~ parks and parking areas. ~~Said~~ Such parks and parking
19 21 areas shall be a part of the primary road system and the
19 22 department may at its discretion sell or otherwise dispose of
19 23 ~~said such~~ lands. The sale, exchange, or other means of
19 24 disposal of any real property with a fair market value of five
19 25 million dollars or more requires the prior authorization of a
19 26 constitutional majority of each house of the general assembly
19 27 and approval by the governor.

19 28 Sec. 37. Section 455A.5, subsection 6, paragraph c, Code
19 29 2007, is amended to read as follows:

19 30 c. Approve or disapprove proposals for the acquisition or
19 31 disposal of state lands and waters relating to state parks,
19 32 recreational facilities, and wildlife programs, submitted by
19 33 the director. The sale, exchange, or other means of disposal
19 34 of real property with a fair market value of five million
19 35 dollars or more requires the authorization of a constitutional
20 1 majority of each house of the general assembly and approval by
20 2 the governor.

20 3 Sec. 38. Section 904.317, Code 2007, is amended to read as
20 4 follows:

20 5 904.317 DIRECTOR MAY BUY AND SELL REAL ESTATE == OPTIONS.
20 6 1. The director, subject to the approval of the board, may
20 7 secure options to purchase real estate and acquire and sell
20 8 real estate for the proper uses of the institutions. Real
20 9 estate shall be acquired and sold upon terms and conditions
20 10 the director recommends subject to the approval of the board.
20 11 However, the sale, exchange, or other means of disposal of
20 12 real property with a fair market value of five million dollars
20 13 or more requires the authorization of a constitutional
20 14 majority of each house of the general assembly and approval by
20 15 the governor. Upon sale of the real estate, the proceeds

20 16 shall be deposited with the treasurer of state and credited to
20 17 the general fund of the state. There is appropriated from the
20 18 general fund of the state to the department a sum equal to the
20 19 proceeds so deposited and credited to the general fund of the
20 20 state which may be used to purchase other real estate or for
20 21 capital improvements upon property under the director's
20 22 supervision.

20 23 2. The costs incident to the securing of options and
20 24 acquisition and sale of real estate including, but not limited
20 25 to, appraisals, invitations for offers, abstracts, and other
20 26 necessary costs, may be paid from moneys appropriated for
20 27 support and maintenance to the institution at which the real
20 28 estate is located. The fund shall be reimbursed from the
20 29 proceeds of the sale.

20 30 DIVISION IX
20 31 EFFECTIVE DATE

20 32 Sec. 39. EFFECTIVE DATE. Except as provided otherwise,
20 33 this Act, being deemed of immediate importance, takes effect
20 34 upon enactment.
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JOHN P. KIBBIE
President of the Senate

PATRICK J. MURPHY
Speaker of the House

21 11 I hereby certify that this bill originated in the Senate and
21 12 is known as Senate File 403, Eighty-second General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

21 18 Approved _____, 2007

21 22 CHESTER J. CULVER
21 23 Governor